

**Notice of Allowability**

Application No.

10/587,360

Examiner

Michael A. Friedhofer

Applicant(s)

MATTLAR ET AL.

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 7/26/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Michael A. Friedhofer*  
MICHAEL A. FRIEDHOFER  
PRIMARY EXAMINER  
A.U. 2832

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1, line 2 replace "adapted to rotate" with --rotates--.

In claim 1, line 7 replace "to" with --by--.

In claim 1, line 8 delete "being adapted to".

In claim 2, lines 3-4 replace "being adapted to rotate" with --rotates--.

In claim 3, line 3 replace "adapted to bend" with --bending--.

In claim 3, line 3 replace "working spring" with --of the working springs--.

In claim 3, line 3 replace "the lateral" with --a lateral--.

In claim 4, line 3 replace "working spring" with --of the working springs--.

In claim 4, line 5 prior to "bending" insert --at least one--.

In claim 4, line 5 replace "is adapted to direct" with --directs--.

In claim 4, line 6 replace "the working spring" with --each of the working springs--.

In claim 4, line 7 replace "adapted to direct" with --directs--.

In claim 4, line 8 replace "the working spring" with --each of the working springs--.

In claim 4, line 8 prior to "being" insert --directed by the supporting member--.

In claim 8, line 3 replace "working spring" with --of the working springs--.

In claim 8, line 3 replace "adapted to receive" with --receiving--.

In claim 8, line 4 replace "the working spring" with --each of the working springs--.

In claim 8, line 5 replace "working spring" with --of the working springs--.

In claim 8, line 6 replace "its" with --the--.

In claim 8, line 6 after "and" insert --the--.

In claim 9, line 4 replace "working spring" with --of the working springs--.

In claim 9, line 6 replace "working spring" with --of the working springs--.

In claim 10, line 2 replace "it" with --the switching device--.

In claim 10, line 3 replace "adapted to rotate" with --for rotating--.

In claim 13, lines 2-3 replace "is adapted to rotate" with --rotates--.

In claim 17, line 2 replace "working spring" with --of the working springs--.

In claim 18, line 2 replace "working spring" with --of the working springs--.

In claim 18, line 2 replace "adapted to receive" with --receiving--.

In claim 18, lines 2-3 after "second end of" insert --each of--.

In claim 18, line 3 replace "spring," with --springs,--.

In claim 18, line 3 replace "working spring", second occurrence, with --of the working springs--.

In claim 18, line 4 replace "its" with --the--.

In claim 18, line 4 after "and" insert --the--.

In claim 19, line 1 replace "it" with --the switching device--.

In claim 19, line 2 replace "adapted to rotate" with --for rotating--.

In claim 20, line 2 replace "adapted to rotate" with --rotates--.

2. The following is an examiner's statement of reasons for allowance: The prior art does not teach or suggest a switching device including an actuator having an 0 position, an I position located a given angle in a first direction relative to the 0 position; and a test position located a second predetermined angle in a second direction opposite the first direction relative to the 0 position; and spring means including at least one working spring for rotating the actuator when the actuator is between the 0 position and I position, towards the 0 position or the I position depending on which side of the first dead point of the actuator which is located between the 0 position and the I position.

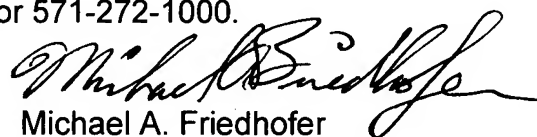
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Friedhofer whose telephone number is 571-272-1992. The examiner can normally be reached on Mon-Fri 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael A. Friedhofer  
Primary Examiner  
Art Unit 2832

maf